

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

v.

XAVIAR MICHAEL BABUDAR,

Defendant.

Case No. 23-MJ-00061-JAM (LMC)

**MOTION TO UNSEAL COMPLAINT AND AFFIDAVIT
IN SUPPORT OF CRIMINAL COMPLAINT**

The United States of America, by Teresa A. Moore, United States Attorney, and Patrick D. Daly and Stephanie C. Bradshaw, Assistant United States Attorneys, all for the Western District of Missouri, hereby moves the Court to unseal the criminal complaint and accompanying affidavit in support of criminal complaint in the above-captioned matter for the following reasons:

1. On May 24, 2023, the Honorable Magistrate Judge Lajuana M. Counts, Western District of Missouri, issued a Federal Judicial Complaint and accompanying arrest warrant for Babudar for bank theft (in violation of 18 U.S.C. § 2113(c)) and interstate transportation of stolen property (in violation of 18 U.S.C. § 2314) in this case.

2. The criminal complaint and accompanying affidavit in support of criminal complaint were sealed as to defendant Babudar as he had absconded from his state custody pending trial in Oklahoma, and was not yet aware of his pending criminal charges.

3. At this stage, the United States respectfully requests that the criminal complaint and accompanying affidavit in support of criminal complaint be unsealed in order to avoid any unnecessary delay of proceedings against the above-named defendant, who is already in custody.

WHEREFORE, the United States respectfully requests an Order from this Honorable Court to unseal the criminal complaint and accompanying affidavit in support of criminal complaint in the above-captioned case.

Respectfully submitted,

TERESA A. MOORE
United States Attorney

By */s/ Patrick D. Daly*

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing was delivered on July 10, 2023, to the CM-ECF system of the United States District Court for the Western District of Missouri for electronic delivery to all counsel of record.

/s/ Patrick D. Daly

Patrick D. Daly
Assistant United States Attorney